



Implementation Plan Bear River Hydroelectric Project Franklin and Caribou Counties, Idaho

FERC License No. 20



**825 NE Multnomah
Portland, Oregon 97232**

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Implementation Plan Bear River Hydroelectric Project

Introduction and Summary of License Articles

PacifiCorp received a new license for the Bear River Hydroelectric Project (Project) (FERC No. 20) on December 22, 2003. The Project includes three hydroelectric developments located on the Bear River in Caribou and Franklin Counties, Idaho. The 30-year license allows for the continued operation and maintenance of the Soda Development, the Grace/Cove Development, and the Oneida Development.

This Project Implementation Plan (Plan) was prepared as required by **Article 401** of the License Order, and summarizes the schedule for actions that will be implemented under the License Order. The Environmental Coordination Committee (ECC) was provided 30 days to review the Plan. Each ECC comment was addressed and incorporated. Within this Plan are nine specific plans that are required in other articles of the License Order, including:

- Conservation Hatchery Plan (Article 404)
- Habitat Restoration Plan (Article 405)
- Land and Water Acquisition Plan (Article 406)
- Fish Stranding Minimization Plan (Article 409)
- Kackley Springs Plan (Article 410)
- Dam Leakage Measuring Plan (Article 411)
- Boating Flow Release Plan (Article 418)
- Oneida Operations Regime (Article 420)
- Boating Flow Forecasting Plan (Article 421)

The following plans, which are also required by the License Order, will be submitted separately according to the Implementation Schedule (Figure 1).

- Bonneville Cutthroat Trout (BCT) Restoration Study Plan (Article 403)
- Black Canyon Monitoring Plan (Article 407)
- Water Quality Monitoring Plan (Article 413)
- Operations Compliance Plan (Article 415)
- Recreation Plan (Article 416)
- Traffic Safety Plan (Article 417)
- Website and Flow Phone Report (Article 422)
- Historic Properties Management Plan (Article 423)
- Land Management Plan (Article 424), which includes:
Shoreline Buffer Zone Plan (Article 425), and Cove Bypass Reach Fencing Plan (Article 426)

Specific plans or tasks included in articles of the new license will be implemented according to the implementation schedule (Figure 1), beginning with issuance of the new License Order on December 22, 2003.

	A	B	C	D	E	F	G
1			FIGURE 1. IMPLEMENTATION SCHEDULE				
2	License Article	Action	Deliverable	Start Date	End Date	First Deliverable Date	Comments
3	Art. 401	Implementation Plan	Plan document in consultation with ECC	22-Dec-03	22-Dec-33	31-May-04	To describe and schedule all measures required by the new license, in consultation with settlement parties (ECC), within 4 months of license issuance, including various 'Plans' as chapters
4	Art. 401	Annual Reports	Report in consultation with ECC	1-Mar-05	1-Mar-34	1-Mar-05	Includes results of studies/monitoring, description of anticipated activities, report of funding accounts, and compliance with operational requirements
5	Art. 402	ECC participation/oversight	1 FTE and normal administration	4-Mar-04	22-Dec-33	4-Mar-04	Provide admin support, point of contact for ECC, some grant writing, attempt to identify willing landowners, apply for permits as necessary for actions; annual report
6	Art. 403	Bonneville Cutthroat Trout (BCT) Restoration Study Plan	Study Plan in consultation with ECC	22-Dec-03	22-Dec-33	1-Aug-04	Study Plan describing studies included in SA to be approved by the FERC. Results of studies to be included in Annual Reports.
7	Art. 403	Genetic Sampling (in BCT Plan)	Data collection and analysis	1-Sep-04	22-Dec-10	22-Dec-10	\$40K; work done by IDFG and reimbursed; funds not available after 2010; may roll over to other BCT studies
8	Art. 403	Aerial Photography (in BCT Plan)	Photos	1-May-05	22-Dec-10	22-Dec-10	\$125K; funds not available after 2010; may roll over to BCT studies
9	Art. 403	Irrigation Diversion Map (in BCT Plan)	Map	1-Sep-04	22-Dec-10	22-Dec-10	\$13K; funds not available after 2010; may roll over to other BCT studies
10	Art. 403	Telemetry Study (in BCT Plan)	Data	1-Nov-04	22-Dec-10	22-Dec-10	\$50K/yr for three years; funds not available after 2010; may roll over to other BCT studies
11	Art. 403	Broodstock Development (in BCT Plan)	fish stock; studies; hab. enhancements; land; water	22-Dec-08	22-Dec-10	22-Dec-10	\$100K/yr for three years; conducted by IDFG; funds not available after 2010; may roll over to other BCT studies
12	Art. 403	Cove Feasibility Study (in BCT Plan)	Report	1-Apr-04	31-Jul-04	1-Sep-04	Fish-friendly alternatives analysis, including project removal
13	Art. 404	Conservation Hatchery Plan (in Imple. Plan)	Section included in Implementation Plan	22-Dec-03	22-Dec-33	31-May-04	Plan describing implementation of the Conservation Hatchery Program
14	Art. 404	Conservation Hatchery Program	Fish stocking; hab. enhancements; land; water	22-Dec-11	22-Dec-33	22-Dec-11	\$100K/yr, beginning in Year 8; funds may also be used for habitat restoration, land & water, or fish passage; may carry over to subsequent years
15	Art. 405	Habitat Restoration Plan (in Imple. Plan)	Section included in Implementation Plan	22-Dec-03	22-Dec-33	31-May-04	Plan describing implementation of the habitat restoration program
16	Art. 405	Habitat Restoration Program	Funding for habitat enhancements; land; water	22-Dec-04	22-Dec-33	22-Dec-04	\$167K/yr; funds may also be used for land and water acquisition or fish passage; may carry over to subsequent years
17	Art. 406	Land and Water Acquisition Plan (in Imple. Plan)	Section included in Implementation Plan	22-Dec-03	22-Dec-33	31-May-04	Plan describing implementation of the land and water acquisition program
18	Art. 406	Land and Water Acquisition Program	Funding for habitat enhancements; land; water	22-Dec-04	22-Dec-33	22-Dec-04	\$300K/yr; funds may also be used for habitat restoration or fish passage; may carry over to subsequent years
19	Art. 407	Black Canyon Monitoring Plan	Study Plan in consultation with ECC	22-Dec-03	22-Dec-04	22-Dec-04	Plan describing monitoring studies to be conducted in Black Canyon.
20	Art. 407	Monitoring in Black Canyon	Funding for surveys, studies, reports	1-Apr-05	1-Apr-11	1-Apr-05	\$35K/yr; funds carry over to subsequent years; after 2010, balance carries over to Conservation Hatchery Program
21	Art. 408	Implement minimum flows	Documented annually to the FERC	22-Jun-04	22-Dec-33	1-Mar-05	Soda - 150 cfs downstream; Grace - 80 cfs; Cove - 10-35 cfs; Oneida - 250 cfs downstream
22	Art. 408	Maintenance schedule consultation	Documented annually to the FERC	1-Apr-04	22-Dec-33	1-Mar-05	Consult annually with ECC to minimize drawdowns and maintenance activities; consult with ECC in emergencies if practicable
23	Art. 409	Fish Stranding Minimization Plan (in Imple. Plan)	Section included in Implementation Plan	22-Dec-03	22-Dec-33	31-May-04	Plan describing procedures to minimize fish stranding in Black Canyon.
24	Art. 409	Fish Recovery	Documentation of Plan compliance in Annual Report	30-Sep-04	22-Dec-33	1-Mar-05	Consultation with IDFG and ECC required
25	Art. 410	Kackley Springs Plan (in Imple. Plan)	Section included in Implementation Plan	22-Dec-03	22-Dec-33	31-May-04	Plan describing procedures to re-divert Kackley Springs in Year 5, if necessary.
26	Art. 410	Kackley Springs	Facility modification, if necessary	22-Dec-08	22-Dec-09	22-Dec-09	Redivert or maintain as is, in consultation with the ECC

	A	B	C	D	E	F	G
2	License Article	Action	Deliverable	Start Date	End Date	First Deliverable Date	Comments
27	Art. 411	Dam Leakage Measuring Plan (in Imple. Plan)	Section included in Implementation Plan	22-Dec-03	22-Dec-33	31-May-04	Plan describing procedures to estimate leakage from Grace, Cove and Oneida dams.
28	Art. 411	Add leakage to minimum flows	Documented annually to the FERC	30-Sep-04	22-Dec-33	1-Mar-05	For Grace, Cove, and Oneida
29	Art. 412	Implement ramp rates	Documented annually to the FERC	22-Dec-04	22-Dec-33	1-Mar-05	Soda - 1.2 ft/hr, measured at USGS gage 10079500; Oneida - 3.0 in/15 min at Riverdale calibrated at USGS gage 10086500
30	Art. 413	Water Quality Monitoring Plan	Plan document to IDEQ and the FERC	22-Dec-03	30-Sep-09	31-May-04	Plan to cover monitoring at Grace (4 stations) and Oneida (1 station) in compliance with 401 Certification
31	Art. 413	Water Quality monitoring and reporting	Data for analysis; reports	1-May-04	30-Sep-09	1-Mar-05	Monitoring at Grace (4 stations) and Oneida (1 station) in compliance with 401 Certification
32	Art. 415	Operations Compliance Plan	Plan document; annual reports	22-Dec-03	22-Dec-33	22-Dec-04	Plan, in consultation with IDEQ, IDFG and USGS, should identify the functioning of equipment used to meet minimum flow and ramping requirements, reporting requirements, and reasonable tolerances
33	Art. 415	Operations Compliance Plan implementation	Documented annually to the FERC	22-Dec-04	22-Dec-33	1-Mar-05	Provides functioning of equipment used to meet minimum flow and ramping requirements, reporting requirements, and reasonable tolerances
34	Art. 416	Recreation Management Plan	Approved document to the FERC	22-Dec-03	22-Dec-33	31-Oct-04	Replaces existing agreement with BLM; all projects; consultant prepared
35	Art. 416	Oneida campground funding	Reimbursement to BLM	31-Oct-04	22-Dec-33	31-Oct-04	\$10K reimbursement to BLM upon invoice; funds do not carry over.
36	Art. 416	Upgrade campgrounds	Check to BLM	31-Oct-04	31-Mar-05	31-Mar-05	\$50K One-time payment to BLM
37	Art. 416	Put-in/Take-out in Black Canyon	Constructed facilities	31-Oct-04	22-Dec-33	31-Mar-05	At Hwy 34 bridge (15 vehicles) including staff gage and sign, and upgrade take-out at Grace HQ
38	Art. 416	Put-in/Take-out in Oneida Narrows	Constructed facilities	31-Oct-04	22-Dec-33	31-Mar-05	Bridge below powerhouse (10 vehicles) including staff gage and sign, and take-out at cattle guard (10 vehicles)
39	Art. 416	Assistance to Caribou County	Reimbursement to County	31-Oct-04	22-Dec-33	31-Oct-04	\$3K reimbursement to county; does not carry over
40	Art. 417	Traffic Safety Plan	Working document and road improvements	22-Dec-03	22-Dec-33	31-Oct-04	Funds for document preparation and road improvements, including sign maintenance, resulting from plan up to \$100K
41	Art. 417	Maintain signs	Documentation in Annual Report	31-Oct-04	22-Dec-33	1-Mar-05	Replace or repair traffic signs along the Oneida road (\$1K)
42	Art. 417	Turn-around loop	Completed road work	31-Oct-04	22-Dec-33	31-Mar-05	At Oneida day use area, including sign for Maple Grove vacancy
43	Art. 417	Law enforcement	Check to agency	31-Oct-04	22-Dec-33	31-Oct-04	\$3K funding to law enforcement agency and use of company's radio frequency
44	Art. 417	Dust abatement	road work	31-Oct-04	22-Dec-33	31-Oct-04	On Oneida road up to 100 ft. on either side of Maple Grove and Redpoint Campgrounds
45	Art. 418	Boating Flow Release Plan (in Imple. Plan)	Section included in Implementation Plan	22-Dec-03	22-Dec-33	31-May-04	Plan describing facility modification necessary to assure release of whitewater boating flows.
46	Art. 418	Grace Spill Gate	Gate installed and functioning	1-Apr-05	22-Dec-33	1-Apr-07	To provided whitewater flow releases from Grace dam
47	Art.419	Whitewater flows in Black Canyon	Documentation in Annual Report	1-May-05	22-Dec-33	1-May-05	Dependent on available water; Years 2-4, "Opportunistic Releases" only; Years 5-7, "Scheduled Releases"; Years 8-License term, TBD based on the results of Monitoring of Black Canyon
48	Art. 420	Oneida Operational Regime (in Imple. Plan)	Section included in Implementation Plan	22-Dec-03	22-Dec-33	31-May-04	Plan describing plans minimize fluctuations below Oneida plant.
49	401 Cert.	Oneida Operations Report	Report to IDEQ	30-Nov-04	30-Nov-33	30-Nov-04	Record of water releases for power, irrigation, or flood control.
50	Art. 420	Boatable flows in Oneida reach	Documentation	22-Jul-05	22-Dec-33	1-Mar-06	With available water, target is 900 cfs below powerhouse between Memorial Day and Labor Day
51	Art. 421	Boating Flow Forecasting Plan (in Imple. Plan)	Section included in Implementation Plan	22-Dec-03	22-Dec-33	31-May-04	Plan describing provisions for forecasting the availability of inflow for whitewater boating flows in the Grace bypass.
52	Art. 421	Boatable flows release schedule	Report in consultation with ECC	5-Mar-08	22-Dec-33	5-Mar-08	Forecast for whitewater boating flows in the Grace bypass.

	A	B	C	D	E	F	G
2	License Article	Action	Deliverable	Start Date	End Date	First Deliverable Date	Comments
53	Art. 422	Flow Phone and website	Developed website and operating Flow Phone; report	31-Aug-04	22-Dec-33	31-Aug-04	Website will present Scheduled Release dates; and flow for current and prior 6 days in hourly averages, and 7-day forecast; gages linked to Flow Phone (daily) and website (4-hr intervals)
54	Art. 423	Protect historical resources	HPMP development and implementation	22-Dec-03	22-Dec-33	22-Dec-04	Contractor; developed in consultation with the SHPO, BLM, and the Tribes; requires some informational exhibits on project
55	Art. 424	Land Management	Land Management Plan and implementation	22-Dec-03	22-Dec-33	22-Dec-04	Contractor; developed in consultation with the ECC; buffer zone in leases next to river and reservoirs
56	Art. 425	Shoreline Buffer Zone Plan	Section included in the Land Management Plan	22-Dec-03	22-Dec-33	22-Dec-04	Contractor; developed in consultation with the ECC; buffer zone in leases next to river and reservoirs
57	Art. 426	Cove Bypass Reach Plan	Section included in the Land Management Plan	22-Dec-03	22-Dec-33	22-Dec-04	Contractor; developed in consultation with the ECC; fencing of buffer zone on PacifiCorp land in Cove bypass.
58	Art. 426	Fencing in Cove bypass	Fences	1-Apr-05	22-Dec-33	31-Mar-06	Also fencing of selected wetland areas in Cove bypass reach, while allowing use by landowners of river by livestock.
59	Art. 427	Expand FERC Project Boundary	Revised Exhibit G maps	22-Dec-03	22-Dec-33	22-Aug-05	Deadline to be extended by 1 year; expand boundary to 3 miles downstream of the Oneida powerhouse to cattle guard take-out, and PacifiCorp lands on both sides of the river upstream of Cove dam in lower Black Canyon

The licensee will submit an Annual Report by March 1 of each license year that summarizes compliance activities and any revisions to the implementation schedule. Beginning in 2005, the Annual Report will include detailed descriptions of activities undertaken during the previous year, including any final reports of studies or monitoring, meeting notes, anticipated activities for the upcoming year, and accounting of funds specified in the license articles. The Annual Report will be prepared in consultation with the ECC. Each Annual Report and all plans required in the license will include input by ECC members. If an ECC recommendation is not adopted, the licensee will include project-specific reasoning as to why the comment could not be incorporated into the plan. The ECC will have a minimum of 30 days to comment before the Annual Report or plan is filed with the FERC.

Article 402

The Environmental Coordination Committee (ECC), including representatives of each signatory party to the Settlement Agreement (SA), was convened on March 4, 2004. The ECC will meet as needed, but at least annually, to oversee actions included in the SA and the new license, review and provide input on plans and specific measures, and provide decision-making regarding the use of funds prescribed in the license.

Article 403

A Bonneville Cutthroat Trout (BCT) Restoration Study Plan will be prepared that describes the goals, methodology, schedule, funding, and anticipated use of study results pursuant to restoring populations of BCT in the Action Area. The Action Area refers to the Bear River and land drained by the Bear River and its tributaries below the point of confluence of the Bear River Outlet Canal with the mainstem Bear River and above the Idaho-Utah border. Studies in the BCT Study Plan may be conducted outside the Action Area. Study elements in the BCT Study Plan include 1) Genetic Sampling, 2) Aerial Photography and Irrigation Diversion Mapping, 3) Telemetry Studies, and 4) Broodstock Development. The study plan will be submitted to the FERC on July 1, 2004.

The completed Cove Feasibility Study, also required as part of the BCT Study Plan, will be submitted to the FERC on September 1, 2004, as stipulated in a letter filed with the FERC on March 16, 2004.

Article 404

A Conservation Hatchery Program will be developed, as described in the Conservation Hatchery Plan (see page 10), for the purpose of stocking native fish in the Action Area. Funding of \$100,000 each year will be provided beginning on December 22, 2011, and continue throughout the remaining license term. Funding not completely utilized in the current year will be available for subsequent years. Funding for this purpose may also be used for the purposes of habitat restoration (Article 405) or land and water acquisition (Article 406).

Article 405

A Habitat Restoration Program will be established as a component of the Habitat Restoration Plan (see page 11) for the purpose of restoring habitat conditions for BCT and other aquatic resources in the Action Area. Funding of \$167,000 each year will be provided beginning on December 22, 2004, and continue throughout the remaining license term. Funds may be carried over to subsequent years.

Article 406

A Land and Water Acquisition Program will be established as a component of the Land and Water Acquisition Plan (see page 11) to acquire available land and water rights in the Action Area, on a willing-seller basis, for the purpose of habitat enhancements. Funding of \$300,000 each year will be provided beginning on December 22, 2004, and continue throughout the remaining license term. Funds may be carried over to subsequent years.

Article 407

The Black Canyon Monitoring Plan will be developed in consultation with the ECC, and will be submitted to the FERC by December 22, 2004. Annual funding of \$35,000 for seven years will be provided for monitoring in Black Canyon. Monitoring will begin April 1, 2005. Annual funds may be carried over to subsequent years. After 2010, any balance will carry over to the Conservation Hatchery Program (Article 404).

Article 408

Minimum flows in project-affected reaches of the Bear River will be implemented on June 22, 2004, including 150 cfs below Soda dam, 80 cfs below Grace dam, 10-35 cfs below Cove dam, and 250 cfs below the Oneida plant. Maintenance schedule consultation will begin in April of 2004. Documentation will be included in the Annual Report to the FERC.

Article 409

A Fish Stranding Minimization Plan (see page 12) outlining measures to minimize fish stranding will be developed in consultation with the ECC and Idaho Department of Fish and Game (IDFG). Documentation of plan compliance will be included in the Annual Report.

Article 410

A plan outlining measures to modify the diversion of Kackley Springs is included in this Plan (see page 12). Should re-diversion of Kackley Springs be necessary, this action would occur in 2009 in consultation with the ECC.

Article 411

Leakage from Onieda, Cove, and Grace dams will be measured according to procedures described in the Dam Leakage Measuring Plan (see page 12). Leakage will be measured beginning in September of 2004, and measured leakage will be added to minimum flows described in Article 408 by June 1, 2005. Compliance with minimum flow requirements will be documented in the Annual Report to the FERC.

Article 412

Ramping rate requirements from the Soda and Oneida plants, as outlined under Article 412, will be implemented on December 22, 2004. Documentation will be included in the Annual Report to the FERC.

Article 413

The draft Water Quality Monitoring Plan was prepared by PacifiCorp and submitted to Idaho Department of Environmental Quality (IDEQ) on February 20, 2004, as required by Article 413. Following a 90-day review period, PacifiCorp will submit the final Plan to FERC within 30 days of receiving the reviewed Plan from IDEQ. The Plan includes water quality monitoring and reporting at Grace and Oneida, as required in the 401 Certification. Water quality monitoring and

reporting will begin May 1, 2004, and continue through September 2009. Monitoring results will be provided to IDEQ and the FERC in the Annual Report.

Article 415

The Operations Compliance Plan, developed in consultation with the ECC and U.S. Geological Survey (USGS), will identify the functioning of equipment used to meet minimum flow and ramping requirements, reporting requirements, and reasonable tolerances. Following a 30-day review period by the ECC and USGS, the final Plan will be submitted to the FERC on December 22, 2004. Implementation will begin upon FERC approval of the final Plan, and compliance will be documented in the Annual Report beginning in 2006.

Article 416

A revised Recreation Plan will be developed in consultation with the ECC to replace the existing agreement with the BLM. The approved Recreation Management Plan will be submitted to the FERC on October 31, 2004. The Plan will include 1) a description of the type and location of existing recreational facilities, 2) description of any recreational facilities proposed during the license term, 3) documentation that provisions for people with disabilities were considered in the design of proposed facilities, 4) measures to minimize construction impacts, 5) identification of responsible entities for construction and operation of facilities, if known, 6) operations and maintenance schedule for existing and proposed facilities, 7) schedule for implementing funding measures, and 8) drawings of type and locations of existing and proposed facilities. Measures in the Plan will include a one-time payment to BLM of \$50,000 by March 31, 2005, an annual reimbursement to the BLM of \$10,000 for Oneida campground operation, put-in/take-out facilities in Black Canyon and Oneida Narrows (construction will begin on or before October 31, 2004, and should be completed by March 31, 2005), and a \$3,000 annual reimbursement to Caribou County. These funds will not carry over to succeeding license years.

Article 417

A Traffic Safety Plan will be completed by October 31, 2004. The Plan will include a detailed description of the Oneida Road, its use and present condition, proximity to project features, existing signage, and a plan and schedule to implement the following specific features: road improvements and sign maintenance along the Oneida road; law enforcement funding of \$3,000 annually, including the use of radio frequency; dust abatement on the Oneida road up to 100 feet on either side of Maple Grove and Redpoint campgrounds; and a turn-around loop below the Oneida day-use area and a vacancy sign for Maple Grove campground. Implementation of the Traffic Safety Plan will begin on or before October 31, 2004. Document preparation and road improvements resulting from the plan will not exceed \$100,000. Annual funding included in the Plan will not carry over to succeeding license years.

Article 418

The Boating Flow Release Plan (see page 12) describes facility modification necessary to assure release of whitewater boating flows. Installation of the Grace spill gate to provide whitewater flow releases will begin April 1, 2005, and will be completed by April 1, 2007.

Article 419

The implementation of whitewater boating flow releases described in Article 419 will begin in April of 2005 for opportunistic releases and scheduled releases will begin in April of 2008. Documentation of whitewater flows in Black Canyon will be included in the Annual Report.

Article 420

An operational regime that minimizes the frequency of river level fluctuations below the Oneida powerhouse will be developed in consultation with the ECC (see page 13). The Oneida Operations Report will be submitted to IDEQ at the Bear River Commission meeting (usually in November each year). Ongoing documentation of boatable flows in Oneida reach will begin in July of 2005.

Article 421

The Boatable Flows Release Schedule will be developed in consultation with the ECC as a component of the Boating Flow Forecasting Plan (see page 14). The Boatable Flows Release Schedule, which will require frequent updating to forecast scheduled boating flows in the Grace bypass (Black Canyon), will begin on March 5, 2008.

Article 422

A flow forecasting website and toll-free phone recording will begin by August 31, 2004, and continue through the license term. Details of this flow reporting system are included in the Boating Flow Forecasting Plan (see page 14).

Article 423

Protection of historical resources will occur through the implementation of the Programmatic Agreement and development of a Historic Properties Management Plan (HPMP), to be filed with the FERC on December 22, 2004. Consultation with the State Historic Preservation Office (SHPO), Bureau of Land Management (BLM), and the Tribes is required.

Article 424

Actions related to the Land Management Plan will be developed in consultation with the ECC. The Plan will include a description of existing or proposed measures to be implemented on PacifiCorp lands to reduce livestock grazing impacts, and a description of existing or proposed measures to protect and improve habitat and wetlands on project lands. This Plan will also include the Shoreline Buffer Zone Plan (Article 425) and the Cove Bypass Reach Plan (Article 426), and will be filed with the FERC by December 22, 2004. Fencing in Cove Bypass will begin about April 1, 2005, and should be completed March 31, 2006.

Article 427

The FERC project boundary will be expanded and revised Exhibit G's will be filed with the FERC by August 22, 2005. At the Grace-Cove Development, the expanded boundary will include PacifiCorp lands on both sides of the bypass reach upstream of Cove dam in the lower reaches of Black Canyon (approximately 40 acres in the Grace bypass). At the Oneida development, the expanded boundary will include all PacifiCorp and BLM lands from the existing downstream project boundary below the powerhouse, to the proposed boater takeout at the cattle guard in Oneida Canyon, on the primary access road side of the Bear River, between the road and the river or 200 feet from the river, whichever is greater.

Specific Plans Required in License Articles

Each of the plans described below includes the following standard stipulations regarding funding and ECC consultation:

If funding is specified in a required plan, details on how each budget may be spent is also included. Funding is specified in 2002 dollars (date of the Settlement Agreement), but will escalate once upon issuance. For funding that carries over to succeeding license years, interest will accrue on the balance that carries over, but the balance will not further escalate. Upon expenditure, one-half of the accrued interest will belong to the licensee, and one-half will be available for mitigation as specified in the plan. Funds not fully expended in a given year will not expire during the license term, but these carried-over funds will not be available for other purposes once the license has expired.

The ECC was provided a minimum of 30 days to comment on these plans. Each ECC comment and recommendation was addressed and incorporated. If not adopted, the comment is described and project-specific reasoning for not adopting the suggestion is included in the plans. These specific plans are herein filed with the FERC for approval.

Conservation Hatchery Plan

Pursuant to Article 404, this Conservation Hatchery Plan describes the use of funding for the purpose of stocking native Bonneville cutthroat trout (BCT) in the Action Area.

Action items identified in this plan would be an important step in the conservation of BCT in the Bear River and its tributaries. Successful habitat restoration as accomplished under Articles 405 and 406, consistent with the *Range-wide Conservation Agreement and Strategy for Bonneville Cutthroat Trout Management* (RCAS) and the *Cutthroat Trout Management: A Position Paper, Genetic Considerations Associated with Cutthroat Trout Management* (CTMAPP), or any updated versions of these documents, will guide this reintroduction effort. Guidance for stocking BCT will be determined over the next seven years of the license as BCT restoration studies are conducted (Article 403) and the BCT Restoration Plan is developed. Adaptive management using the results of BCT studies will determine the need for BCT stocking in consultation with fisheries specialists of the ECC. If undertaken, stocking in the Action Area will be conducted by IDFG, based on the results of its broodstock development program and consistent with the BCT Restoration Plan.

Funding

Beginning in the eighth year from issuance of the license (December 22, 2011), \$100,000 will be made available each year to fund the conservation hatchery program. Funding shall continue through the end of the license term. Funding not expended in one year may be carried over to succeeding years during the term of the license for fish stocking, or shall be available for habitat restoration actions pursuant to Article 405, or land and water acquisitions or enhancement and restoration of such acquisitions pursuant to Article 406. Unspent funds will carry over to succeeding years, and funds shall not expire during the license term.

Habitat Restoration Plan

Pursuant to Article 405, this Habitat Restoration Plan describes the use of funding for actions that will be undertaken to benefit and restore aquatic and riparian habitat for BCT and other fish and wildlife resources in the Action Area.

Action items to be implemented by the Habitat Restoration program will be decided upon and prioritized in conjunction with the ECC. These actions will be scheduled and implemented by the ECC on an annual basis, and provision of funding will begin on December 22, 2004.

Funding

Beginning on the first anniversary of the issuance of the license (December 22, 2004), \$167,000 will be made available each year to fund the habitat restoration program through the end of the license term. If not entirely spent, funds may be carried over to succeeding license years and may be allocated toward further habitat enhancement and restoration, land or water acquisition (pursuant to Article 406), other enhancement and restoration projects of land or water acquired through Article 406, or fish passage (if prescribed and as described in sections 1.1.1 and 3.1 of the SA). Funds may also be used for monitoring of restoration projects. Should the Secretary of the Interior prescribe fish passage under Section 18 of the Federal Power Act during the term of the license, these funds shall be used for that purpose before other uses. The ECC may also consider habitat enhancement and restoration actions outside the Action Area, but such actions will only occur at PacifiCorp's discretion.

Land and Water Acquisition Plan

Pursuant to Article 406, this Land and Water Acquisition Plan describes the funding provided to acquire available land and water rights in the Action Area. Opportunities to purchase or lease and manage land and water rights and easements will be acted upon, in accordance with Idaho water law and policy, to benefit BCT and other fish and wildlife resources. ECC will plan and prioritize land and water rights to be acquired.

The ECC will work collaboratively with agencies and local communities to acquire or lease water for non-consumptive use, or land, all on a willing-buyer and willing-seller basis in the Action Area. PacifiCorp will transfer its interest in such land and water rights to a land trust or other nonprofit land conservation organization, or the Idaho Water Resources Board, respectively, as directed by the ECC in accordance with Idaho water law and policy.

Actions pursuant to the Land and Water Acquisition program will be decided upon and prioritized by the ECC beginning upon license issuance. Annual funding for this purpose will begin on December 22, 2004

Funding

Beginning on the first anniversary of the issuance of the license (December 22, 2004), \$300,000 will be made available each year through the end of the license term to fund the Land and Water Acquisition program. Funds not expended may be carried over to subsequent license years for acquiring land or water rights in the Action Area, restoration of land acquired through Article 406, or fish passage (if prescribed and as described in sections 1.1.1 and 3.1 of the SA). Should the Secretary of the Interior prescribe fish passage under Section 18 of the Federal Power Act during the term of the license, these funds shall be used for that purpose before other uses. The ECC may also consider land and water acquisition outside the Action Area, but such actions will only occur at PacifiCorp's discretion.

Fish Stranding Minimization Plan

Pursuant to Article 409, this plan is submitted to describe measures to minimize fish stranding resulting from operation of the Grace Development. For purposes of this plan, “operation of the Grace Development” does not include changes in inflow to the development, maintenance of reservoir levels, or unforeseen hydrologic events.

In the Grace bypass reach (Black Canyon), periodic provision of boatable flows beginning in 2008 could result in fish stranding. To address this potential situation, boatable flow releases from Soda Springs will be gradually ramped, as determined in consultation with the ECC, to minimize abrupt fluctuations. Water will gradually be diverted from the flow line to the river to avoid drastic changes in river flow. During the first year of scheduled releases, PacifiCorp staff will survey the ¼-mile reach below the Grace Dam and forebay to detect whether fish stranding has occurred. If fish stranding is occurring due to these releases, PacifiCorp will continue to survey and salvage fish following scheduled releases. Consultation with IDFG will develop procedures for salvaging and returning any native stranded fish to the Bear River. This plan is scheduled for implementation in September 2004.

Kackley Springs Plan

Pursuant to Article 410, this plan is submitted to describe measures to modify the flow from Kackley Spring to benefit the aquatic resources in the Bear River.

Studies and monitoring, as outlined in the Bear River SA (2002), will be used to determine the effects of flow on BCT and other aquatic resources. Should results indicate that re-diversion of the existing Kackley Springs diversion is necessary, plans will be prepared in consultation with ECC. If necessary in year 5 of the License, PacifiCorp will re-divert Kackley Springs into the Cove bypass, except for 0.30 cfs, which will continue to flow to the Kackley property, or will maintain Kackley Springs in a configuration favorable to aquatic resources.

Funding

Implementation of the Kackley Springs diversion, if necessary, is not expected to exceed \$10,000. Any unspent funds following implementation of this action will not be available for any other purpose.

Dam Leakage Measuring Plan

Pursuant to Article 411, this plan is submitted to describe steps to measure leakage from the Grace, Cove, and Oneida dams. Measurement protocol was developed in consultation with the ECC.

At agreed upon locations just downstream of the Grace, Cove, and Oneida dams, measurements will be made with a flow meter on a representative day. Grace and Oneida dams will be measured in the fall of 2004. Cove dam is currently not operating, but leakage from this dam will be measured when repair work is completed and the development is returned to operation.

Boating Flow Release Plan

Pursuant to Article 418, this plan is submitted to describe measures to release whitewater boating flows from the Grace dam for the purpose of whitewater recreation. In 2005, the Grace dam will be modified with a spill gate to facilitate the release of whitewater flows during 6-hour time periods, as described in Article 419 and section 3.4.4 of the SA. Prior to construction, a conceptual design of the spill gate will be submitted to FERC for approval, including necessary

calculations and analyses needed to demonstrate the facilities have sufficient capacity to release the maximum flow provided for in Article 419.

In years 2-4 following issuance of the License, when available inflow to the Grace Development results in at least 500 cfs spill, additional available flow will be released using the spill gate or dam stoplogs. Total flow in the bypass reach will not exceed a total of 900 cfs for up to 16 separate occasions in any one year (opportunistic releases). No limits on ramping rates will be imposed during for opportunistic releases.

In years 5-7 following issuance of the License, whitewater boating flows in Black Canyon of between 700 and 1,500 cfs will be released, if inflow is available. Flows will total no more than 96 hours of foregone generation at 1,050 cfs in any year between April 1 and July 15. Flows will be provided in 16 separate releases of six hours duration on weekend days, if possible. The Grace Project will not operate during such releases unless available inflow is greater than the scheduled whitewater boating flow, and then the Project will operate with that portion of the inflow that exceeds the scheduled whitewater boating flow. Consultation between PacifiCorp and ECC will determine feasible ramping rates. The cost of ramping rates will be borne by PacifiCorp. The ECC shall determine any monitoring conditions necessary prior to or during releases of boatable flows in Black Canyon.

In year 8 and subsequent years, whitewater boating flows between 700 and 1,500 cfs will be released for 96 hours per year between April 1 and July 15, if available as inflow, unless monitoring detects significant adverse environmental effects in Black Canyon. In no event shall PacifiCorp be obligated to provide more than 96 hours of scheduled whitewater boating flows in any given year at an average of 1,050 cfs.

Oneida Operations Regime

Pursuant to Article 420, this plan is submitted to describe the operational regime designed to minimize the frequency of river level fluctuations below the Oneida powerhouse. Nothing in this plan requires the licensee to violate its obligations under, or permit or require any action inconsistent with, the water contracts and agreements, interstate compact, judicial decrees, state water rights, and flood control responsibilities described in section 5.10 and Appendix C of the SA.

Goal flows below the powerhouse shall be greater than 900 cfs between Memorial Day and Labor Day, if available, as limited by upstream storage capacity. Annual average flow equals 600-700 cfs, but Oneida winter flows may be below 250 cfs due to limited precipitation and upstream storage that occurs at that time of year. The USGS gage below the plant (10086500) will continue to measure flows in the Oneida reach.

Oneida Dam will continue to operate within historic practices (as determined under the Scottish Power merger agreements (October 1999 and April 2000)). As such, irrigation users below the dam reach will continue to receive water to meet existing irrigation contracts. Oneida will not be operated as a peaking facility. Pursuant to Article 415, the Operations Compliance Plan details compliance with minimum flow and ramping rate restrictions at the Soda, Grace-Cove, and Oneida developments.

Fluctuations will be minimized and will be documented and summarized to IDEQ annually at the Bear River Commission meeting (usually in November). The report will summarize fluctuations in a general manner, but data are generally not capable of providing clear explanations behind

each change in stream flow and/or storage. Flow changes will be summarized at a seasonal timescale. When possible, the primary cause, severity, and duration of highly unusual events will be explained.

Boating Flow Forecasting Plan

Pursuant to Article 421, this plan is submitted to describe measures to forecast and announce whitewater boating flows for each year beginning in 2008. Forecasting of available inflow for whitewater boating flows will occur annually on or about March 1 concurrent with the initial announcement of the water year forecast. This initial forecast will be updated as actual water data becomes available. Provisions for predicting irrigation deliveries will use a water supply forecast, based on snowpack and the water supply forecast model from Natural Resource Conservation Service (NRCS).

Following the initial forecast, PacifiCorp will consult with American Whitewater and forward a recommendation for a mutually agreeable release schedule to ECC members. This schedule will be filed with the FERC and posted on the website. If it is forecasted that flows may be conducive to whitewater boating flows for a total of more than 96 hours, the ECC will recommend the days upon which flows up to a total of 96 hours will be released. Should a mutually agreeable whitewater release flow schedule not be attainable, the licensee shall, no later than March 20 of each year, file recommendations of a release schedule for FERC approval.

Whitewater boating flow information will be made available to the public on a website and over the phone by a toll-free number. These information sources will continue through the license terms.

The website will include a monthly calendar with scheduled dates for flow releases into Black Canyon, as identified by PacifiCorp in consultation with the ECC. Information regarding scheduled releases will be updated weekly between April 1 and July 15. The website will also include current and past flow conditions from USGS gages for locations between the Outlet Canal and the Bear River below the Oneida Project, including the Bear River above Soda, the Bear River below Grace Dam, and the Bear River below the Oneida powerhouse. PacifiCorp will maintain a telephone uplink to the website from the USGS gages from March 1 to November 30 of each year. Flow data will be expressed graphically in hourly averages (cfs) for the current and prior 6 days, and updated every 4 hours. Forecasts (7-day) of project flows in the Black Canyon and below the Oneida powerhouse will also be provided. Disclaimers for accuracy and predictability must accompany the information on the website.

Phone information will include the last recorded flow of the three gages each day, and the next four scheduled release dates, as identified in consultation with the ECC following the annual irrigation allocation to Bear River irrigators. The recorded message will indicate that releases into Black Canyon occur, based on available flow, when inflow into Soda Reservoir less irrigation withdrawals between Soda Dam and Grace Dam plus leakage from the Grace flowline is equal to or greater than 700 cfs, and that releases into Black Canyon will not exceed 1,500 cfs.